

APPROVED: Meeting No. 45-95

ATTEST: *Paula S. Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 38-95

July 24, 1995

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on July 24, 1995, at 7:30 p.m.

PRESENT

Mayor James F. Coyle

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

ABSENT

Councilmember Rose Krasnow

Councilmember Nina Weisbroth

In attendance: City Manager Rick Kuckkahn, Brenda Bean for City Clerk Paula Jewell (on leave) and City Attorney Paul Glasgow.

Re: City Manager's Report.

1. Bankshot Basketball opening at the Rockville Municipal Swim Center last weekend was successful. This new concept in basketball creates the opportunity for competitive play allowing people of all abilities to participate using skill, creativity and intelligence, not just physical strength. The Bankshot facility was donated by Rabbi Brenner.

2. The Human Needs and Services Advisory Task Force will conduct a "Town Meeting" July 25 at 7:30 p.m. for the purpose of receiving input from citizens on various issues and concerns. Telephones will be operated during the live broadcast for

those who wish to call-in.

3. An amateur baseball team from Pinneberg, Germany is in Rockville this week to play against several local teams at Dogwood Park. A ceremony is scheduled for Sunday, July 30th at 6:15, followed by a game at 7:00 p.m.

4. Summer Playgrounds Family/Carnival Night is scheduled for Wednesday, July 26th at the Civic Center Park. Approximately 500 people are expected.

5. The Rockville Rotary Twilight Runfest was held July 22nd, and in spite of record-breaking temperatures, the event was still a huge success. Approximately 2,400 runners participated. Home Depot and other corporate sponsors helped to make the run a success. Proceeds will benefit the Rotary Youth Scholarship Fund and other Rotary charities.

Re: Recognition of John
Knoblach who recently
won 4 gold medals at the
Disabled Sports
Association National
Swimming Championships
at Colorado State
University in Ft. Collins,
Colorado.

John Knoblach is a 9-year old who was born with cerebral palsy. Mayor Coyle congratulated John for placing first in each of the four events in which he participated. He praised the family members and coaches for their encouragement and guidance. The Mayor said he would look for John in future championships and hoped that he would be back next year with more accomplishments.

Re: Proclamation declaring
August 1, 1995 as National
Night Out

Proclamation No. 14-94

By unanimous vote of the Mayor and Council, August 1, 1995 was declared National Night Out in Rockville. Councilmember Dorsey read the Proclamation, the full text of which can be found in the Proclamation File of the City Clerk.

Three neighborhood Block Captains were present and accepted the Proclamation. The Mayor thanked them for their efforts in deterring and reducing crime in the neighborhoods and expressed his hope of seeing them at the block parties on the evening of August 1st.

Re: Presentation by Rockville
Center, Inc. (RCI) on the
status of the Town Center
Redevelopment Project.

Mark Troen, RCI's Vice President of Development, presented the third in a series of quarterly reports designed to keep the public and the Mayor and Council informed of the status of the project. The following is a summary of Mr. Troen's presentation:

- Mr. Troen conveyed Mitch Rutter's congratulations to the Mayor and Council over their recent selection of Rick Kuckkahn to the position of City Manager.
- RCI is excited about the recent selection of the new sculpture for the

Town Center Park in Courthouse Square.

- RCI conducted a minority contracting seminar as part of an outreach effort to involve minority, disadvantaged and women contractors in all phases of development. Reverend Jim Moone and other members of the Southern Christian Leadership Community, as well as the Rockville Chamber of Commerce, helped to organize, and participated in the event.
- Aggressive marketing efforts are underway to pursue retail brokers for the retail pavilion portion of the Town Center development to ensure that the right type of tenants occupy space.
- Using posters and other visual aids, Mr. Troen discussed the time schedules relative to ongoing projects: construction of Maryland Avenue; projected completion dates for the fountain and sculpture to be placed in Courthouse Square Park; and various public works projects.
- New traffic pattern directional signs will be posted for the benefit of those who work in the Judicial Center and residents and businesses who service the Victoria and Courthouses.

Re: Citizen's Forum

1. Harriot Manley, 826 Fordham Street said she was not able to attend the public hearing on Text Amendment Application No. TXT95-0147 regarding a proposal to amend the Comprehensive Planned Development (CPD) procedure. She requested that her written comments be placed in the public hearing file on the matter

and be made part of the official record. Her statement can be found in the TXT95-0147 public hearing file.

2. Colette Moore & Francis Kramer, 726 Carr Avenue had suggestions regarding the role of the Human Rights Investigators. Mayor Coyle advised Ms. Moore that the Human Rights Ordinance is in the process of being revised and procedures are now being discussed with the Human Rights Commission. One of the objectives is to involve citizens and receive input and that her suggestions were certainly be explored.

3. Lih Young, 1121 Pipestem Place, expressed her dissatisfaction over a business transaction with Lake Forest Oldsmobile Car Distributorship. Mayor Coyle indicated to Ms. Young that the matter was not within the jurisdiction of the City of Rockville; however, he referred her to the Chief of Police who might be able to direct her appropriately.

4. Robert Hughes, 713 Carr Avenue - said that because he did not have a resident I.D. card, he paid the non-resident rate at the Rockville Municipal Swim Center even though he lives in the City. Mr. Hughes stated that one more I.D. card would simply add to his already over-burdened wallet and he questioned the necessity of this policy. Burt Hall, Director of Recreation and Parks, explained that while many people have Rockville addresses, they do not actually live in the City of Rockville. The I.D. Policy was implemented to decrease the waiting lines at the gate as well as provide a photo I.D. for children and anyone else not possessing one.

Re: Appointments

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Larry Willets was appointed to the Historic District Commission.

Re: Approval of Minutes

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, with Mayor Coyle abstaining (leave at that time), the Minutes of Meetings Nos. 19-95 (April 3, 1995), 20-95 (April 4, 1995), 21-95 (April 10, 1995), and 22-95 (April 17, 1995), were approved as written.

Re: Consent Agenda

Councilmember Marrinan requested removal of items (D) and (E). Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, items (A), (B) and (C) were passed.

(A) Award of Bid #11-96
To: HMF Paving
Of: Frederick, Maryland
In the Amount of \$171,597.50

For: Asphalt/concrete pathways, sidewalks, retaining walls, and basketball courts.

(B) Award of Bid #12-96
To: Romano Concrete Construction, Inc.
Of: Silver Spring, MD
In the Amount of \$484,138.50

For: Concrete maintenance FY96, including street repairs, utility patch repairs, handicap ramps, and miscellaneous small sidewalk links.

(C) Award of Contract
To: American Management
Systems
Of: Fairfax, VA
In the Amount of \$24,854.06

For: Software maintenance for
GHRIS, the City's payroll system,
and Associated Report Writing
Utility, on a sole-source basis.

Re: Item (D) - Introduction of
Ordinance to amend Chapter 1,
Section 1-8 of the Rockville City
Code entitled "Application of
County Law"

AND

Item (E) - Introduction of
Ordinance to Amend Chapter 11
of the Rockville City Code,
entitled "Human Rights."_

Regarding items (D) and (E), Councilmember Marrinan commented that there were a number of procedural issues and comparisons between the City and County and thought additional discussion was necessary by the Mayor and Council prior to introduction of the ordinances. He said the Mayor and Council may wish to ask staff to prepare an analysis between the two. City Attorney Paul Glasgow suggested that staff prepare a report outlining what role both jurisdictions will play. The Mayor commented that the recommended changes to the Ordinance will substantially change the role of the Human Rights Commission and the refocus of the Commission has been in the works for quite sometime. The City Attorney said the theory behind the HRC restructuring is

to improve the efficiency of the Commission. Since there are forums available at the Federal, State and County levels dealing with employment discrimination, it would be more appropriate to use those means, leaving the community mediation and related issues for the HRC.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the ordinance permitting Chapter 27 of the Montgomery County Code (1984) entitled "Human Relations and Civil Liberties," to apply within the City was introduced; and the ordinance replacing the complaint, investigation and hearing processes with a mediation process in cases of alleged discrimination in employment while continuing to prohibit discriminatory practices, and certain other changes to the Human Rights Ordinance, was introduced.

Re: Adoption of Resolution to adopt an investment policy governing use of the City's operating funds.

This is necessitated by new State law designed to ensure the protection of public funds.

Resolution No. 13-95

Kevin Deckard, Director of Finance, explained this new legislation. The State would like to be more proactive in ensuring that public funds are invested correctly. A good faith effort needs to be made by local governments to devise a plan, based on present industry standards (Government Finance Officer's Association, Municipal Treasurer's Association, etc.), on public fund investments. Pending final

regulations for reporting, the State is now accepting good faith plans to show risk-free investments. Since the City of Rockville investments are primarily in federal securities, there is very little to no risk. The new legislation will require local governments to report on all investment transactions twice a year to the State for review. Mr. Deckard said that the suggested guidelines contained in the policy are ones that the City had already been following for sometime.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Resolution No. 13-95, the full text of which can be found in Resolution Book No. 11 of the Mayor and Council, was adopted.

Re: FYI/Correspondence

1. Councilmember Marrinan commented that changes in federal government funding could impact the City's Rockville Housing Authority in Section 8 housing, drug elimination grants, etc. Councilmember Marrinan wanted the public-at-large to be aware of this for FY97 budget allocations. He also mentioned that the Human Needs and Services Advisory Task Force would be conducting a public forum on July 25th and that this topic would be an item of discussion. He wished to encourage public attendance for input on this very important issue.

2. Mayor Coyle noted the Pinneberg baseball game taking place at Dogwood Park on July 30th.

Re: Next Meeting

The Mayor and Council will convene in worksession July 31, 1995 to

discuss the King/Irvington Farm annexation and Text Amendment Application TXT95-0147, relating to the Comprehensive Planned Development amendments in connection with the annexation.

Re: Adjournment to Executive
Session

Upon Motion of Councilmember Marrinan, duly seconded and unanimously passed, the Mayor and Council adjourned at 9:17 p.m. to reconvene immediately in Executive Session, pursuant to Section 10-508(a)(7) of the State Government Article, Annotated Code of Maryland to obtain legal advice from counsel.